

§ 1480.20

and are at least 30 years old and 12 inches in diameter.

§ 1480.20 Misrepresentation and scheme or device.

(a) A producer who is determined to have erroneously represented any fact affecting a program determination made in accordance with this part shall not be entitled to disaster payments and must refund all such payments received, plus interest as determined in accordance with part 1403 of this chapter.

(b) A producer shall refund to CCC all disaster payments, plus interest as determined in accordance with part 1403 of this chapter, received by such producer with respect to all contracts if the producer is determined to have knowingly done any of the following.

- (1) Adopted any scheme or device that tends to defeat the purpose of the program;
- (2) Made any fraudulent representation; or
- (3) Misrepresented any fact affecting a program determination.

§ 1480.21 Offsets, assignments and debt settlement.

(a) Except as provided in paragraph (b) of this section, any payment or portion thereof to any person shall be made without regard to questions of title under State law and without regard to any claim or lien against the crop, or proceeds thereof, in favor of the owner or any other creditor except agencies of the U.S. Government. The regulations governing offsets and withholdings found at part 1403 of this chapter apply to payments.

(b) Any producer entitled to any payment may assign any payments in accordance with regulations governing the assignment of payments found at part 1404 of this chapter.

(c) A debt or claim may be settled according to part 1403 of this chapter.

§ 1480.22 Compliance with highly erodible land and wetland conservation provisions.

Part 12 of this title applies to this part.

7 CFR Ch. XIV (1-1-05 Edition)

PART 1481—SUGAR BEET DISASTER PROGRAM

Sec.

- 1481.1 Applicability.
- 1481.2 Administration.
- 1481.3 Definitions.
- 1481.4 Producer eligibility.
- 1481.5 Sign-up period.
- 1481.6 Proof of loss.
- 1481.7 Indemnity benefits.
- 1481.8 Availability of funds.
- 1481.9 Limitations on payments.
- 1481.10 Crop insurance linkage.
- 1481.11 Miscellaneous provisions.

AUTHORITY: Pub. L. 106-387, 114 Stat. 1549; Pub. L. 108-7, 117 Stat. 11; 15 U.S.C. 714 *et seq.*

SOURCE: 68 FR 49330, Aug. 18, 2003, unless otherwise noted.

§ 1481.1 Applicability.

(a) This part sets forth the terms and conditions applicable to the Sugar Beet Disaster Program.

(b) Producers who were prevented from planted sugar beets, or who suffered either quantity or quality losses in excess of 35 percent to sugar beets while in the field in 2001 or 2002 due to adverse weather will be considered eligible for benefits for either of those years, but not both.

§ 1481.2 Administration.

Where circumstances preclude compliance with §1481.4 due to circumstances beyond the applicant's control, the FSA county or State committee may request that relief be granted by the Deputy Administrator under this section. In such cases, except for statutory deadlines and other statutory requirements, the Deputy Administrator may, in order to more equitably accomplish the goals of this part, waive or modify deadlines and other program requirements if the failure to meet such deadlines or other requirements does not adversely affect operation of the program and are not prohibited by statute.

§ 1481.3 Definitions.

The definitions in this section shall apply to this part.

Application means the Sugar Beet Disaster Program Application, as provided by and available in any FSA office.